

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No.: 2:07CR262-WKW
)	
TOMMY LEE MOORE)	

SECOND MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, **TOMMY LEE MOORE**, by Undersigned Counsel, Donnie Bethel, pursuant to 18 U.S.C. §§3161 (h)(1)(A) and (h)(8)(B), and respectfully moves this Court to continue the trial of this matter currently set for August 18, 2008. In support of this Motion, Defendant would show the following:

1. On April 23, 2008, Magistrate Judge Susan Walker ordered Mr. Moore to voluntarily surrender to the United States Marshals Service on May 8, 2008, to be transported to a Bureau of Prisons facility for a competency evaluation. Mr. Moore surrendered as ordered, and deputies of the Marshals Service subsequently transported Mr. Moore to the Miami Detention Center.

2. Undersigned Counsel has spoken with doctors at the Miami Detention Center, who have informed him that they will not complete their evaluation of Mr. Moore by the presently scheduled trial date of August 18, 2008.

WHEREFORE, Mr. Moore respectfully requests that this Motion be granted and that the trial in this matter be continued from August 18, 2008.

Dated this 25th day of July 2008.

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: don_bethel@fd.org
IN Bar Code: 14773-49

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No.: 2:07CR262-WKW
)	
TOMMY LEE MOORE)	

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Matthew W. Shepherd, Assistant U. S. Attorney.

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: don_bethel@fd.org
IN Bar Code: 14773-49